

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
BRYSON CITY DIVISION  
2:08CR24**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Vs.</b>	)	<b>ORDER</b>
	)	
<b>JAMES CANE.</b>	)	
_____	)	

**THIS MATTER** is before the court upon the court's own Motion for Inquiry as required by Rule 44(c), Federal Rules of Civil Procedure.<sup>1</sup> Defendant is advised that at such hearing, the court will make inquiry concerning whether a conflict of interest exists and if so whether any further action needs to be taken to protect defendant's right to counsel. The court is advised that counsel for defendant has given defendant more particular notice of the nature of the potential conflict.

**ORDER**

**IT IS, THEREFORE, ORDERED** that a Status of Counsel hearing is calendared for hearing on August 28, 2009, at 2:30 p.m.

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<sup>1</sup> Rule 44(c) does not deal precisely with the conflict issue raised herein and is being utilized by the court as a framework for conducting the inquiry.

Signed: August 26, 2009

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

